

Required Senator Kenyon (Iowa), "do they work by the turn or by the day?"

Day and Tonnage Basis.

"They work on a per diem and also tonnage basis," replied Judge Gary. "No, these men do not pay their help out of the wage I have named. In a few cases men who are getting out are left in their positions and permitted to use help whom they may pay \$4 or \$5 a day. Only one roller gets as high as \$12 a day; a number get from \$25 or \$35 up to that figure. I can't state the exact number. The vast majority, of course, are unskilled workers at 42 cents an hour."

Senator Walsh (Mass.) wanted Judge Gary to describe the precise incidents leading up to the strike, particularly as to why Judge Gary refused to confer with representatives of the union. Senator Phipps (Cal.) wanted Judge Gary to explain that nowadays the mills are operated chiefly by machinery, and that the skilled workers do almost no manual labor.

"That last is entirely correct," said Judge Gary. "The skilled worker earns his pay through his skill. None of them does hard manual labor as I did on the farm years ago, either in point of hours or physical exertion. Even the boy who operates door does it by pressing a button. The ingots of iron are handled by levers."

"It is well known that the rollers who work the twelve hour shift have intervals of rest, so that their actual working time is hardly over half of their hours. They work an hour and a half and then rest about that long. I would like to show some photographs of men at rest during their hours of nominal work."

"It is highly desirable that we should know the exact steps that led to the strike," said Senator Walsh. "We want to know what the men presented to you and what you said to the union leaders."

"Mr. Fitzpatrick and Mr. Gompers," explained Senator Walsh, "told us the strike was caused by your refusal to receive and discuss matters with the union leaders."

"No Cause for the Strike."

"They ought to know, as they called the strike," replied Judge Gary. "There was no cause for the strike. The men had no grievances and were on the best of terms with the company with a few slight exceptions."

"How do you know that to be true?" asked Senator Walsh.

"It is my business to know the frame of mind of our people," said Judge Gary. "I don't visit each man, but my instructions require the best treatment of the men and are given to the presidents at our meetings. Our welfare department, headed by Mr. Closs, is constantly working among the employees."

"It is a standing rule that if men are dissatisfied they can come singly or in groups with their complaints and adjustments. There have been such cases. Three or four years ago the president of one subsidiary notified the president of the Steel Corporation that the men in his plant, 1,000 or 2,000 in number, had gone out. He said there was no reason for it, and that he could easily call them back and would do so."

"I told him to wait and come to New York. He came, and I said: 'Have you taken pains to find out the merits of these men's complaints?' He said that there was no complaint and I insisted that he learn all the facts. He returned and received a committee which presented three grievances. I examined them with him, and said that if they were correct we should right them. I told him to go back and concede two of three points on which I considered we were wrong."

"In how many instances did you have to put up the notification of that concession?" asked Senator Kenyon.

"Frequently we use three or four languages," replied Judge Gary. "Usually, there are some men of every nationality who can read. They are helped by their professional men, their doctors and especially their clergy."

"Did you refuse to confer with the representatives of the unions because of your knowledge that your employees were satisfied or because they were organized into unions?" asked Senator Walsh.

Cause of Gary's Refusal.

"Because I did not believe they represented our people," replied Judge Gary. "We have treated our people right and I will prove it."

"Did you know your refusal to meet the union representatives might lead to a strike?"

"I didn't even think of that. I knew, however, that union labor was active in organizing our men."

"But you have learned since that they did represent our people, I judge?" suggested Senator Walsh.

"I have learned that a small percentage belonged to the union at that time. We don't object to that."

"Is there any other reason than that the union leaders could not enlighten you about your relations to your employees?" pursued Senator Walsh.

"Our policy has been not to deal with the leaders of labor organizations at any time," replied Judge Gary. "We do not believe in contracting with unions. When we contract with union leaders it

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drives the employees into the union because otherwise they cannot get work. We don't antagonize the unions, but we are not obligated to contract with them if we feel that unionism is not good for either employer or employee."

"Isn't it a substantial notice to the men that the company does not want them to belong to unions when you refuse to meet the union officials?" "What is the good of a union if the men cannot confer with their employers through it? Is it merely a social organization?" inquired Senator Walsh.

"The organized labor leader should not be allowed to talk with the employers in behalf of the men when he knows that the men in our mills, although they had not asked them to do so, they had nothing to do with our business."

"If that is so how did they get your men to strike?" asked Senator Walsh.

"Ten or 15 per cent. had already joined the union," replied Judge Gary. "That was accomplished after a long campaign. They then called at all the mills, which they had been unable to accomplish otherwise. They wouldn't wait on the President's request for delay. The 10 or 15 per cent. of our men quit and started intimidating the others, who naturally in some cases stayed at home."

"When you say the union leaders did not represent the men what facts have you to prove that statement?" asked Senator Borah (Idaho).

"Information from the men directly, reports from the foremen and from outsiders in a position to get the facts. Also we received many letters from our men, 15,000 of whom are stockholders. Sometimes they come to our meetings and make speeches. I have some of these speeches here. Here is a newspaper clipping describing conditions at New Castle, Pa., showing that circumstances were satisfactory; the men well satisfied. Our welfare department spends millions and the welfare committees include about 5,000 men, who are employees."

"If the committee which desired to confer with you had been composed of employees of your corporation would you have received them?" asked Senator Kenyon.

"Yes, I would, unless they had come specifically as union officials. In that case I don't know what I would have done, for the situation was not presented. If a committee had come representing the workers in a particular mill I would have received them."

"It all comes to the one question of the open or the closed shop. If you recognize unions that recognition forces all the men to join the union, because those who don't belong cannot work. We stand for the open shop, asking no questions of whether a man uses or does not belong to the union. We have had many union men, and if a few have been discharged, which I deny, it is contrary to our instructions and would cause the offending foremen to be disciplined if the offense were repeated."

"The newspaper reports said you would not arbitrate," said Senator Borah. "It seems to me that you're making all this a fundamental issue, and that your policy is guided by you about it. Aside from wages and working hours the country would like to know what is this fundamental issue making it impossible for you to arbitrate."

"Open or Closed Shop is Issue."

"The fundamental issue is the open or closed shop," replied Judge Gary. "All men are free to work, whether they belong to the union or not, but it is well known all over the world and the opinion of a majority of people that the open shop is essential to the progress and prosperity of industry."

"The closed shop means smaller production and higher cost. In connection with the high cost of living this is most important."

"I regard it as immoral for a small minority to compel a large majority to accept its terms. If the industries are to be controlled by unions, it means that industry will decay, costs will be

higher and this country will fall in the world's industrial competition. That is the condition, which I fear confronts England, though I hope I may be mistaken."

"When a few men seek to control against the majority, it is immoral. These men were rank outsiders. They had announced their purpose to organize the steel industry, not for the purpose of getting better pay, for we never heard of their twelve points of grievance at that stage, but in order to force union control on the industry. Do you really want to follow from that?"

"What was there in the letter which these union leaders sent to you which even suggested that they wanted to discuss the question of the open or the closed shop?" asked Senator Walsh.

"Was it not merely a courteous letter asking a conference? Don't you think you would stand better before the country now if you had received them?"

Real Objects of Unions.

"Their letter was courteous, and I think my reply was courteous also," replied Judge Gary. "But their speech and announcements at the Atlantic City and St. Paul conventions had informed me what were their real objects."

"They said that they represented twenty-four international unions," suggested Senator Phipps. "Are any of these organizations incorporated under authority to negotiate on behalf of its members and to enforce its contract?"

"I understand not," replied Judge Gary.

"Does not incorporation of a union greatly affect the employees as to their ability to contract, and to enforce their agreement?" asked Senator Phipps.

"It is a general practice of unions to keep their contracts," retorted Judge Gary. "Their contracts cannot be enforced at all."

"What proof have you," asked Senator Walsh, "that the men who desired to consult with you did not represent your employees?"

"They did not, and it has proved so," was the reply.

"Frankly, I concede the undesirability of negotiating with union leaders. At an earlier time Mr. Tiggs was asked what he would like to meet with a committee concerning our relation with our men. I replied that we did not negotiate with union leaders as such, although we did not combat them, and that he must excuse me."

"He did not publish that correspondence, but in a report to his organization merely said that we were in correspondence on the subject. That was all he said, and as a result some of the newspapers reported that we had changed our policy and were corresponding with Tiggs about it."

"I think that had a bad effect on the minds of our men and that some of them joined the union because they thought we had changed our policy toward the unions. If we were to recognize the unions the men would join them at once. We are willing to hear committees of our own men; they are always welcome. In this case the labor leaders were not our employees. They were organizing the men in our mills, although they had not asked them to do so. They had nothing to do with our business."

"Does that attitude reach to the extent of refusing to meet Mr. Gompers?" asked Senator Kenyon.

"Wouldn't Meet Gompers."

"Yes, it does," replied Judge Gary. "But you are going to sit with him next week in this labor conference. What is the difference?" urged Mr. Kenyon.

"I don't consider that I am going to sit with these gentlemen as leaders of union labor. We can't recognize the union shop and unionize our industry."

"Would a conference with these men have that effect?" asked Mr. Kenyon.

"Yes," replied Judge Gary, "their letters showed that they were union leaders asking to discuss matters relating to our men. With all our respect we must consider the welfare of those among our employees who are opposed to labor unions."

"You could not deal with the representatives of the unions as such because it would destroy the principle of the open shop," suggested Senator Borah.

"That is a very good statement of it," replied Judge Gary.

"You wouldn't refuse to see the attorney of a man with whom you had disagreed," asked Senator Walsh.

"A lawyer comes to one well recommended; you know that he really represents his client. These men didn't, as I thought," said Judge Gary.

"Even if they had been employees of your own, but had been representatives of organized labor, you could not have dealt with them, then, because they were union men?" inquired Mr. Borah.

"If they had told me that they were representatives of 15 per cent. of our people, and could talk to me on behalf of them, it is quite possible I would have seen them," replied Judge Gary.

"The fact at the bottom of all this is that these men did not represent your employees, as I understand it," said Mr. Borah.

"I don't think they did," replied Judge Gary. "We are not willing to do anything we believe is equivalent to establishing a closed shop. Industry must proceed untrammelled by the dictation of labor or anybody else except the employer, the employee and the Government."

"Then the public has an interest in it," asked Mr. Kenyon.

"The highest of all interests, Senators," replied Judge Gary. "All private interest must yield to it."

"It is claimed that the Steel Corporation's opposition to the unions is such that a great fund was set aside to destroy them," suggested Senator Phipps.

No Anti-Union Fund Raised.

"No such fund whatever has been established. We found when the company was organized in 1901 that some of its subsidiaries were dealing with the unions; others were not. We instructed them to go on as they had done before. In a few months a strike was called in an effort to organize all employees. It failed and the men returned to work voluntarily without any concessions. The Illinois Steel men were expelled from their organization."

"The workers, finding that they were getting nothing out of the unions, began to quit paying dues and leave the unions."

"Do you maintain among your workers any secret service organization?" asked Senator Walsh.

"I can't be very specific about that," replied Judge Gary. "I think at times some of the companies have used secret service men. That is frank; perhaps over frank."

"All your men know your attitude toward unions. Does that influence the relations between your union men and their foremen?" asked Senator Walsh.

"I think not," said Judge Gary. "Do you or do you not believe in labor organization?" asked Senator Walsh.

"I will not deny that unions may be good and useful in their place, at some times to a certain extent, to protect the interests of labor. I do deny the desirability of the universal demand of unions for the closed shop. It is inimical to the best interests of the employees and the public."

"Certainly, Judge Gary, you will agree that nothing has done so much as organized labor to better the conditions of workers," said Senator Walsh.

"I deny that absolutely," said Judge Gary. "Where the unions have advanced the interests of labor they have merely followed the practice of the United States Steel Corporation, which has been the leader."

Influence of Unions on Labor.

"Surely you will concede that the influence of organized labor has been a factor in improving labor conditions?" insisted Mr. Walsh.

"At times, possibly, that has been true; but the steel industry has been ahead of the unions," said Judge Gary. "Our men do not join the unions because

they feel they are better off than the union men."

"That certainly does not agree with the reports made for the Government in 1911 on the conditions in the steel and iron industry, which showed men working eleven and twelve hours a day, seven days a week, and that conditions were generally very onerous to the workers," declared Senator Kenyon.

"The question of hours of work has concerned the wishes of the employees more than of the employers," replied Judge Gary. "Union leaders have not advocated the eight hour day in order to help the workers. The question of hours of work also involves that of compensation. We had the seven day week for years, the employees having been responsible for starting it in order to get more pay. We decided to eliminate the seven day week, and did. There were strikes against the change because the men did not want to lose the wages."

"Then the war brought the shortage of steel and the men still wanted more pay and the seven day week was restored. Immediately after the armistice the Government ordered us to stop Sunday and overtime work on contracts, and since then we have given the men one day off each week."

"I am sure that when the eight hour basis day was adopted. You must understand that under it the men do not work eight hours and then quit. They wanted the eight hour basis because they got time and a half pay for overtime."

"The man who worked twelve hours earned twice as much as if he had worked eight hours. A large part of the public believes in the eight hour day and many employees do, though, I think, not a majority. We are considering the question of a shorter day."

"The men want it. I think some of them do prefer it, but it is not admitted that more than eight hours makes too long a working day."

Executives Came From Ranks.

"All our executives came up from the ranks and hard work, and we know. We were always satisfied when we worked the long hours. What will the farmers do? They simply cannot survive."

"It is charged by witnesses here that in the interest of the public the President asked you to confer with the men and that you declined," said Senator Kenyon.

"Why not get that information from the President?" urged Judge Gary. "I feel that a private individual should not repeat personal conversations with the President."

"Do you regard this great strike as merely a private affair?" asked Senator Kenyon.

"No, as a matter of the greatest public interest. I have not said that the President asked that a conference be held."

"No, but other witnesses here have said that he did ask for such a conference," replied Mr. Kenyon.

"As a matter of propriety I feel that such matters should be disclosed by the President only," replied Judge Gary.

William Rumberger, a roller in the company's employ at New Castle, Pa., testified that only the unskilled workers, chiefly foreigners, were striking; that the men had no grievance; that only about 15 per cent. were out, and that the strike is basically for recognition."

Rumberger said he was sworn as a deputy sheriff and had carried a gun, but had not served. He had not been sworn as a deputy sheriff, but he had been sworn as a deputy sheriff by the company. The sheriff has instructed the men sworn as deputies in the use of their revolvers, when and in what circumstances they might use them. Plenty of arms were supplied at the mills, especially for regular guards at the gates; he did not know by whom.

James Sinclair, another employee from Duquesne, Pa., said he was a roller and worked ten and a half and eleven hours a day, earning about \$12 daily. Only about 5 per cent. of the men at his plant were out. He also had been sworn as a deputy sheriff but not armed.

Other employees brought here at the request of the committee testified along like lines.

STRIKERS BREAK UP MEETING.

Refuse to Let Workers Vote on Proposal to Go Back.

Special Despatch to The Sun.

STEUBENVILLE, Ohio, Oct. 1.—About 500 jeering and shouting Steubenville steel strikers marched this afternoon on Mingo Junction, three miles south of here, invaded the American Mechanics Hall and prevented Mingo Junction steel workers of the Carnegie Steel Company plant there from voting on the proposition of returning to work.

When the Steubenville strikers heard of the meeting they formed in line hastily at the call of William Zinkle, a national committee organizer, who led the marchers. The strikers reached the meeting place shortly before 8 o'clock just as James Brottell, chairman of the meeting, was about to take the chair and call order in preparation for the vote.

Eight Hour Day in Spain.

MADRID, Sept. 30 (delayed).—The new law fixing an eight hour day for workers in all trades will become operative tomorrow. There is quite a general protest from employers, who announce that the prices of many articles will advance.

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THE Illustrated NEWS

POLICE HEAR PUBLIC BACK PAY DEMANDS

Hylan Ukase Aimed to Prevent Attendance Before Aldermen Fails.

FIREMEN PRESENT ALSO

Leaders in Speeches Tell How Much City Employees Need Increases.

Representatives of the Fire and Police departments, whom Mayor Hylan tried hard the day before to prevent from attending, were present yesterday in City Hall when a special committee of the Board of Aldermen gave a hearing to test public sentiment on the demands of city employees for increased wages.

Likewise men and women employed in all the other city departments went to the meeting, which the Mayor, before he was compelled to reverse his own position in the matter, said he had been informed was to be a "disorderly gathering" of agitators.

Instead of being disorderly the meeting turned out to be the mildest kind of gathering, which was addressed by Hermon A. Metcalf, former City Comptroller; State Senator A. W. Burlingame of Brooklyn; Surrogate G. M. S. Schulz of The Bronx; County Judge Louis D. Gibbs and Aldermen Kennelly, chairman of the special committee. While the Mayor failed to look in at the meeting, President Guinness of the Board of Aldermen, and Joseph L. Moran, president of the Patrolmen's Benevolent Association, were there and made brief speeches in which they said they believed the request for a maximum of \$2,000 for patrolmen and firemen was little enough considering present day living conditions.

Chairman Kennelly acknowledged that the Board of Aldermen had no power to increase salaries, and that their only function, in connection with the making of the budget was to decrease the figures fixed by the Board of Estimate, if they saw fit to do so. However, he said, the Board of Estimate might be glad to make any recommendations to the Board of Estimate in regard to increases that seemed to be deserved.

Frank J. Fiala, Deputy Comptroller and president of the Civil Service Bureau, said it was ridiculous to say that the firemen or policemen ever intended to make a demonstration in City Hall Park, as alleged by the Mayor; that all they asked was an opportunity to state their case for increases to the proper authorities.

Mr. Metcalf placed himself flatly on record as being in favor of the \$2,000 salary, with as much additional as the strike is basically for recognition. Also he was in favor of adding to the salaries of other city employees. When he first went in as Comptroller, the speaker said, the Finance Department was to a large extent a collecting agency for people to whom the city employees owed money. The collectors would attach the salaries of officials running from a Judge to the lowest in the scale of employees. The grading and regrading of employees was wrong, he said, and the case of one of our men, who after fifty years, was receiving less than he did in the beginning.

Senator Burlingame, who said he did not appear as the paid advocate of any

one, praised the uniformed forces, and said they could not live decently on their present wages. He spoke of the recent Boston strike, and said the policemen here had remained loyal in spite of the fact that prices had been jacked up to a point where they might well be pardoned if they took some state of desertion. The speaker said he honored Comptroller Craig for suggesting an increase of \$250, and had no doubt that he would finally be urged to accede to the request for \$2,000.

"It is a shame that a city inspector may have to supervise the work of a man who is getting more money than he," said Edward P. Doyle of Staten Island. "It is an outrage to pay competent city employees less than \$1,500 a year when laborers have set that amount as their minimum. Garment makers and truck drivers are paid more than policemen and firemen."

"Get rid of the secretaries to the secretaries, the useless rocking chair job holders and the overlapping jobs, but take care of the conscientious employees."

If it was true, as he had been told, said the Rev. Dr. Homer E. Taylor of St. Luke's Episcopal Church of the Bronx, that 80 per cent. of the members of the Police and Fire departments were the men of the city, it was an indictment against the city.

"It is unthinkable," he declared, "that loyal employees, who have served us so well in all city emergencies, should be underpaid to such an extent that they become victims of loan organizations. This is a great moral as well as an economic question. We must help these men to keep body and soul together. I really think that \$2,000 is too little to pay the policemen and the firemen."

Joseph Berry made a plea for the per diem men, saying that the increased cost of living affected them just as much as it did the men on a yearly salary basis.

When Chairman Kennelly asked if there was any opposition to increasing the pay of city employees there was a great silence.

Just before adjournment the chairman announced the illness of President Moran of the Board of Aldermen and said he was authorized to say that the President was with the employees in their fight.

STRIKE PICKET IS SHOT.

Foreman in Motor With Workmen Fires at Stone Throwers.

YOUNGSTOWN, Ohio, Oct. 1.—The first disorder in the Mahoning Valley's steel strike occurred last night when Patrick Vincent was shot in the arm during a skirmish between pickets and workmen who were entering the coke plant of the Republic Iron and Steel Company. John Patterson, a foreman in the plant, is charged with the shooting.

Patterson, driving an automobile load of workmen, charged that pickets at the mill entrance stoned the machine as it approached. He emptied his revolver at the strikers.

More men entered the Ohio works of the Carnegie Steel Company to-day than on any other day since the plant was closed, observers report.

FITZPATRICK IS ON WAY TO WASHINGTON

May Appeal to Wilson—Will Consult Gompers.

CHICAGO, Oct. 1.—While the steel strike in the Chicago district dragged along to-day with claims that several hundred workers had gone back to the mills and union officials asserting their ranks had sustained no noteworthy

losses, John Fitzpatrick, chairman of the national strike committee, was on his way to Washington. Friends of the strike leader said he might appeal to President Wilson to take some hand in the strike. It was generally believed that he went chiefly to discuss the strike with Samuel Gompers, president of the American Federation of Labor.

Before he left Fitzpatrick said the strikers could go along six months without work.

At the Gary, Ind., mills 400 men were reported to have returned to work to-day, while among the numbers who had been added to the mills at South Chicago and Waukegan, Ill.

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